

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC § 371**

DATE:

May 16, 2006

ATTORNEY DOCKET NUMBER
59371US004U.S. APPLICATION NO.
(if known, see 37 CFR § 1.5)INTERNATIONAL APPLICATION NO.
PCT/US2004/038523INTERNATIONAL FILING DATE
18/11/2004PRIORITY DATE CLAIMED
28/11/2003

TITLE OF INVENTION

TEMPORARY MARKING MATERIAL AND PAVEMENT MARKER

APPLICANT(S) FOR DO/EO/US

Yoshiyuki Nagaoka

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC § 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC § 371.
3. ☐ This is an express request to begin national examination procedures (35 USC § 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 USC § 371(c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ An English language translation of the International Application as filed (35 USC § 371(c)(2)).
 - a. ☐ is attached hereto
 - b. ☐ has been previously submitted under 35 USC § 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 USC § 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 USC § 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 USC § 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC §§ 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR §§ 1.97 and 1.98.
12. ☐ An assignment to 3M Innovative Properties Company will follow.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR § 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13~~ter~~.2 and 37 CFR §§ 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 USC § 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 USC § 154(d)(4).
20. ☐ Other items or information:

U.S. APPLN. NO. (if known, see 37 CFR § 1.5):		INTERNATIONAL APPN. NO.: PCT/US2004/038523		ATTORNEY'S DOCKET NO.: 59371US004	
The following fees will be paid via EFS-Web at the time of filing:				Calculations	PTO Use Only
21.	<input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....	\$300		300	
22.	<input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$0	
All other situations.....				\$200	200
23.	<input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....				\$100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....				\$400	400
All other situations.....				\$500	
TOTAL OF 21, 22 and 23=				\$900.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence or computer program listing filed in an electronic medium) The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Number Filed	(Minus 25%) EFS Filing	Minus 100	Calc.Extra	Rate (for ea.add'l 50)	Fees
14	Number in B multiplied by .75	delete 100 from C	Divide D by 50 (round up to nearest 50)	\$250.00	
If \$130.00 for furnishing the oath or declaration later than 30 months from the earliest priority date (37 CFR § 1.492(e)).				\$0.00	
NUMBER FILED		EXTRA	RATE	Fees	
8		- 20 =	0	x \$50.00	\$0.00
2		- 3 =	0	x \$200.00	\$0.00
For one or more multiple dependent claims				\$360.00	\$0.00
Total Amount Due				\$900.00	
Patent claims small entity status. See 37 CFR § 1.27. Fees indicated above are reduced by 1/2.				\$0.00	
SUBTOTAL =				\$900.00	
Fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority date (37 CFR § 1.492(f)).				\$0.00	
TOTAL NATIONAL FEE =				\$900.00	
Filing the enclosed assignment (37 CFR § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR §§ 3.28, 3.31). \$40.00 per property				\$0.00	
TOTAL FEES ENCLOSED =				\$900.00	
				Amount to be refunded:	\$
				Amount to be charged	\$900.00
a. <input checked="" type="checkbox"/> Fees will be paid via EFS-Web at the time of filing. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>13-3723</u> in the amount of \$_____ to cover the above fees. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3723</u>					
NOTE: Where an appropriate time limit under 37 CFR § 1.495 has not been met, a petition to revive (37 CFR § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
Signature					
/Sandra K. Szczerbicki/					
Name: SANDRA K. SZCZERBICKI				Registration Number: 53,666	
Address: Office of Intellectual Property Counsel 3M Innovative Properties Company P.O. Box 33427 St. Paul, Minnesota 55133-3427					